

MTC-00024449

From: Keith B. Bassett
 To: Microsoft ATR
 Date: 1/25/02 12:11pm
 Subject: Microsoft Antitrust Case

Hello,

I am writing to address the possible settlement of the US vs Microsoft case. Simply put, the current remedy worries me. If we subscribe to a strictly behavioral punishment for a company which has been proven a monopoly, then how can we design it so that the changing face of technology doesn't allow Microsoft to sidestep it? Because of the volatile nature of the field of technology, and because of Microsoft's proven habit of undermining or purchasing competitors, how can any behavioral punishment foresee the direction that the company will move? Microsoft has shown great ingenuity in getting around this sort of punishment in the past, and the current remedy doesn't appear to be properly drawn to prevent Microsoft from doing so again.

I still subscribe to the idea that a structural remedy would be the best course of action. A dissolution of the company into parts that could compete with each other would seem to produce the greatest economic good for the largest number of consumers and companies. Microsoft would produce better products without the stranglehold on the oem market that they currently hold. Oems would have the option of going with several varieties or flavors of the current Microsoft offerings, which would cause serious competition and improvement in the OS offerings. Bugs would be fixed quickly, and the basic solidity of the OS offerings would increase at a similar rate, as the companies struggled for position. File formats might still be a weapon against competitors, but without one clear leader, the level of interoperability would be a serious selling point. Currently the Office offerings import all documents perfectly, but cannot export to other formats without major problems, even ostensibly "open" formats. However, it appears that the structural remedies have been discarded in favor of action which will be perceived as less drastic. Perhaps some appropriate remedies include the dissolution of the current OEM preload agreements, with a prohibition of future ones. The Microsoft office suite data file formats could be placed into the public domain, with future format changes coming under review from an independent open standards body. The .NET formats, interconnects and standards could be placed under the overview of an independent open standards body, as could the Microsoft networking protocols.

A drastic, but effective solution would be the seizure and relicensing of the core source code for the range of Microsoft's OSes. If they were relicensed under an open source license they would remain available regardless of the changes made to them. This, while extreme, would allow for the use of the code by the entire marketplace and increase competition in other areas, forcing Microsoft to compete elsewhere. These solutions may seem extreme, but they depend upon the fact that Microsoft has a proven monopoly which was obtained by illegal means. If they did not have a monopoly or if it was retained legally these rules would not apply.

If an effective long term remedy is not obtained, then Microsoft will have been given implicit permission to continue their current and former business practices. In fact it will be an endorsement of them and will endanger what little remaining commercial competition they have. I don't know what this will mean for other big companies in the information business, but it certainly gives them a frightening level of control of the American public's access to those companies and to information in general.

Thanks for your time, I know that this was a simple and general letter, but I wanted to let you know what the general public was feeling.

Keith B. Bassett

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From: James M. Moe
 To: Microsoft.atr(a)usdoj.gov
 Date: 1/25/02 12:14pm
 Subject: Microsoft Settlement

I do not agree.

Microsoft is a monopoly as found in the original judgment. While not a bad thing in itself, Microsoft has persistently abused its position to the detriment of the computer and software industries. Further it is contemptuous of the prevailing laws and openly continues its abusive practices.

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From: Dankovits, Kris
 To: "microsoft.atr(a)usdoj.gov"
 Date: 1/25/02 12:14pm
 Subject: Microsoft Settlement

I disagree with the Microsoft settlement. It is a foolish move, designed to help only Microsoft.

Kris Dankovits

MTC-00024452

From: Ryan Lucier
 To: Microsoft ATR
 Date: 1/25/02 12:14pm
 Subject: Microsoft Settlement

I think Microsoft develops O.K products, but getting rid of competition is not a good practice.

MTC-00024453

From: Don Ramier
 To: Microsoft ATR
 Date: 1/25/02 12:16pm
 Subject: Microsoft Settlement

Dear Sir or Madam:

I would like to have my comment entered into the **Federal Register** as required by the provisions of the Tunney Act (Antitrust Procedures and Penalties Act) with respect to the proposed "settlement" of the Microsoft Corporation anti-trust case.

Since Microsoft has shown absolutely no remorse or change in business attitudes following the 1995 anti-trust decision rendered against it, and has been found to be in contempt of court regarding subsequent violations, business activities, business strategies, and programs, I hope and pray that the Federal Government will deny the validity of this settlement on many grounds, including and not limited to the one mentioned above.

This provisions of this settlement are unenforceable. The penalties cannot be

enforced, monitored, or even imposed upon the Microsoft Corporation.

I never wanted to have a browser supplied by Microsoft Corporation with their operating system forcibly imposed on my property, my Personal Computer, called Internet Explorer. I use Netscape, a competitor of Microsoft's. My computer fails to operate properly due to malicious engineering by the operating system (Windows) when I respond that I don't want to use Internet Explorer as my default browser. How can I be sure that the I.E. code is to blame? How can the provisions of this settlement be enforced? Computer programming can be "transparent to the user" and can cause lingering damage, and even crippling effects on the property of people like myself, if I don't answer the questions the way the code interprets I should. How can situations like this be monitored by the U.S. Government, or by anybody else, for that matter? This is just one of many examples I could use to describe the performance (or lack thereof) of my property, my Personal Computer, when maimed by any number of versions of the Windows operating system. I am a technical writer by trade, and it is my job to document highly technical programming code of sophisticated software applications. Over the last twenty years, I have been employed by the International Business Machines Corporation (IBM), the Federal Express Corporation (FedEx) and three smaller software development corporations. I have been very well trained to know what the code is supposed to do, and what the code is NOT supposed to do (the actions and mistaken actions of programming code).

In these twenty years of computer related technical writing experience, I have seen the emergence of the operating system named DOS (short for Disk Operating System) that Microsoft created for delivery on the IBM PC, the evolution of DOS to Windows, and, over time, the gradual, yet perceivable, encroachment of the Windows operating environment on my ability to perform my specified tasks within the framework needed. Jumps from versions of operating systems affected the performance of other applications that should not have been affected and this caused much delay in the delivering of my services to my employers in a timely manner.

How can the U.S. Government hope to understand, much less enforce, the terms of this proposed settlement on the intricacies of the Windows operating environment and the thousands upon thousands of lines of code? It is inconceivable to me that the U.S. Government, in all it's might and glory, cannot see that this settlement is just a cop out and is not justice, but an appeasement to the monolithic Microsoft Corporation.

For these and other reasons, I hereby voice my concern over the terms of the proposed settlement and ask that remedial steps be taken to truly and justly dismantle the monopolistic Microsoft Corporation by force of law.

Sincerely,
 Don A. Ramier, III
 Documentation Specialist
 Geobot, Inc.
 Memphis, Tennessee